

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHRISTOPHER COOLEY,

Plaintiff,

-vs-

Aevum Hotels, LLC.

Defendants.

:

Case No.: 21-CV-0798

:

:

DECLARATION OF CHRISTOPHER

COOLEY IN SUPPORT OF

:

PLAINTIFF'S MOTION FOR DEFAULT

:

JUDGMENT

:

:

I, Christopher Cooley, declare as follows:

1. I am the Plaintiff in this action.
2. I have reviewed the facts alleged in the Amended Complaint in this matter, and affirm the accuracy of those facts, to the best of my recollection.
3. My recollection is assisted by the fact that I have recordings of the phone calls discussed in the Amended Complaint.
4. I submit this declaration in support of Plaintiff's Supplement to Motion for Default Judgment.
5. I have personal knowledge of the facts set forth herein, unless otherwise noted, and if called to testify thereto, could and would do so competently.
6. I have both vision and hearing impairments; I am legally blind and deaf.
7. Throughout my life, I have been able to participate more meaningfully in the world with the assistance of service dogs.

8. I am currently aided by my service animal Larkin.
9. Larkin is a professionally trained service dog that helps me with a number of day-to-day activities, which are made much more difficult by my impairments.
10. For example, Larkin assists me in the basic ways such as directing me on a sidewalk if there is an approaching obstacle or impediment, or with the crossing of an intersection.
11. Larkin accompanies me the vast majority of times that I leave my home, and I cannot recall an out-of-town trip in recent memory during which I did not bring Larkin with me for his assistance.
11. In August 2021, I was planning a trip to Cincinnati for recreation in September 2021.
12. I currently reside, and at the time resided, in Portsmouth, Ohio. To travel to Cincinnati is approximately a two-hour car ride.
13. Because of this distance, I wanted to reserve a hotel room for the trip.
14. I am on a fixed income and sensitive to prices. For that reason, I am quite limited as to options for lodging, and I specifically sought out the Red Carpet Inn at 8590 Colerain Avenue because of the low price of a room.
15. As stated in the Amended Complaint, I first contacted the hotel on August 11, 2021 to reserve a room. While I was initially successful in obtaining pricing information and beginning the reservation process, when I indicated that I had a service animal, I was no longer permitted to reserve a room.
16. It was clear that I was being denied a room not because of the hotel being full, but because of my service animal. I was told that pets are not allowed. I explained that my service animal is not just a “pet,” but the representative would not reserve a room and said he would talk to the owner.

17. After I hung up the phone, I had an anxiety and panic attack. My heart began racing, and I had difficulty catching my breath.

18. On previous occasions with other businesses, I have been physically and verbally assaulted because of my use of a service animal.

19. For example, in one instance, I was in a gas station with my service animal. The employee of that gas station physically grabbed me and threw me out of the gas station because of my service animal.

20. This is just one example of the discrimination I routinely suffer due to the use of my service animal. When I face such clear discrimination, like I suffered here, it is mentally and emotionally jarring. It brings up past instances of physical and emotional violence that I have suffered, and it is incredibly upsetting. I am unable to control the anxiety and panic and the attendant shortness of breath and racing heart.

21. Additionally, as indicated above, because of my fixed income, and in a situation like this, I cannot simply move on to the next hotel, because there are few accommodations that provide the value I need. As such, in situations like this, I feel helpless and without options, further exacerbating the mental anguish.

22. Approximately 10 minutes after the phone call, I was able to regain some composure and control of my breathing and heart palpitations.

21. On August 13, 2021 I called Red Carpet Inn again to inquire about the room. The first representative I spoke with that day had no knowledge of my inquiry or the prior discussion on August 11th. However, this representative indicated that the person I spoke with originally would be available that afternoon.

22. I called again the afternoon of August 13th, spoke with the same person I spoke with on

August 11th, and was told definitively, that, per the owner, I could not reserve a room if I want to have my service animal with me.

23. I had a similar mental, emotional, and physical response to this call, further exacerbated by the finality of the decision and a realization that I would not be able to reserve a room at this location and have my service animal to assist me.

24. The denials I received caused me physical injury and discomfort as well as mental anguish.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 28, 2022 at Portsmouth, Ohio.

Christopher cooley
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Christopher Cooley